

By: Chavez

H.B. No. 2797

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the authority of federally recognized Indian tribes  
3 along the Texas-Mexico border to engage in bingo.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 2001.002, Occupations Code is amended by  
6 amending Subdivision (11) to read as follows:

7 (11) "Fraternal organization" means:

8 (A) a nonprofit organization organized to  
9 perform and engaged primarily in performing charitable,  
10 benevolent, patriotic, employment-related, or educational  
11 functions that meet other requirements of this chapter; or

12 (B) a nonprofit National Historical District  
13 Association representing the owners and lessees of a majority of  
14 the real property located in a National Historical District  
15 designated for not less than five years by the National Register of  
16 Historic Places, Heritage Conservation and Recreation Service of  
17 the United States Department of the Interior, if the association's  
18 net proceeds are used for restoration, construction, maintenance,  
19 and security in the district. The term "fraternal organization"  
20 does not include an organization whose members are predominantly  
21 veterans or dependents of veterans of the armed services of the  
22 United States.

23 (C) a federally recognized Indian tribe whose  
24 reservation is located within the boundaries of the State of Texas.

1           SECTION 2. Subchapter C, Chapter 2001, Occupations Code, is  
2 amended by adding Section 2001.1015 to read as follows:

3           An Indian tribe which meets the definition of fraternal  
4 organization under Section 2001.102(11) is authorized to conduct on  
5 its reservation bingo activities upon the adoption by the tribe of  
6 rules and regulations in conformance with the substantive  
7 provisions of the Bingo Enabling Act and in accord with Section  
8 47(b), (c), Article III, Texas Constitution. In compliance with  
9 Sections 107(b) and 207(b) of Public Law No. 100-89, an Indian tribe  
10 conducting bingo activities shall do so without submitting to the  
11 regulatory jurisdiction of the State of Texas including licensing.

12           SECTION 3. This Act takes effect immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2005.